

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Sui Yuet Kong,

Civ. No. 23-1285 (PAM/LIB)

Petitioner,

v.

MEMORANDUM AND ORDER

Michael Segal, Warden,

Respondent.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Leo I. Brisbois dated July 5, 2023. (Docket No. 5.) The R&R recommends that Petitioner Sui Yuet Kong’s Petition for a Writ of Habeas Corpus be denied because the Petition conclusively shows that Kong is not entitled to habeas relief. Kong did not file any objections to the R&R and the time to do so has passed. D. Minn. L.R. 72.2(b)(1).

This Court must review de novo any portion of an R&R to which specific objections are made, but in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge’s reasoning.

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 5) is **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus (Docket No. 1) is **DENIED**; and

3. This matter is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 28, 2023

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge